

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DOCKET NO. 05-10545RGS

**LINDA MALLOY, Administratrix of the Estate
of Willie L. Murraray, Jr. Mother, Guardian and
Next Friend, Willie L. Murray, III.
Plaintiff,**

v.

**CITY OF BOSTON AND OFFICER SHAWN
WEST, A Municipal Employee of the City of Boston
and a Member of the Boston Police Department,
Defendants**

JOINT STATEMENT

Pursuant to the Court's Notice of Scheduling Conference and Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, counsel for the above named parties have conferred and state as follows:

1. Joint Discovery Plan and Motion Schedule:

The parties propose the following pre-trial schedule:

- (a) Automatic document disclosure to be completed on or before August 15, 2005.
- (b) Written discovery requests are to be served by November 28, 2005, and answers\responses are to be filed within the time provided by the rules;
- (c) All depositions are to be completed by February 15, 2006, except for expert witness;
- (d) The plaintiffs' expert witnesses shall be designated by December 15, 2005, and defendants' expert witnesses shall be designated within the time allowed by the Local Rules after plaintiff discloses said expert(s) as contemplated by Fed. R. Civ. P. 26(b)(4)(A); designation of experts shall include provision of any information required by the Federal Rules of Civil Procedure and/or the Local Rules of the District of Massachusetts; any expert depositions shall be completed on or before February 15, 2006 and/ or within the time allowed by the Local Rules of defendants' expert designation;
- (e) All dispositive motions are to be filed by March 15, 2006, and responses are to be

filed thereafter pursuant to Local Rule 7.1;

(f) The plaintiff shall name other parties, if any, not later than November 15, 2005;

(g) A final pre-trial conference will be held as scheduled by the Court.

2. Defendants intend to take approximately 5 depositions during the discovery period.

Plaintiff intends to take approximately 5 depositions during discovery period, depending upon written discovery responses.

3. Certifications regarding each parties' consultation with counsel regarding budgets and alternative dispute resolution will be filed separately.

4. The defendant, City of Boston proposes that the case be bifurcated for the purposes of discovery and trial, pursuant to Local Rule 26.3, and thus the First Phase of Discovery relate only to the fact portion of the incident, and the individual defendant, Shawn West.

The Second Phase of Discovery would then relate to municipal liability.

Plaintiff,
By her attorney,

/s/ Edward McLaughlin
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Defendant, Paul Davies,
By his attorney,

/s/ Douglas I. Louison
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Defendant, City of Boston,
By its attorney,

/s/ Amy E. Ambarik
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